

### **REMARKS and ARGUMENTS**

This submission is in conjunction with a Request for Continuing Examination, pursuant to 35 U.S.C. §132(b) and 37 CFR 1.114.

The present application was filed on December 15, 2000, with original claims 1 – 22. Claims 9-22 were previously withdrawn from consideration. Claims 1-8 were previously cancelled, and new claims 23 – 32 were submitted.

By this amendment, claims 24, 25, 27 – 30 have been amended, and claims 23, 31, 32 have been cancelled. Reconsideration of claims 24- 30 is respectfully requested.

#### **Claim Rejections - 35 U.S.C. § 112, ¶ 1**

Claim 27 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Claim 27 has been amended herein, to comply with the written description requirement. Newly amended claim 27 sets forth the catalytic converter subassembly of claim 30, wherein said catalytic converter shell is cast within an end of said manifold wall. Applicant respectfully asserts that support in the specification for claim 27 may be found on page 7, lines 1 – 32 of the original specification incorporating subsequent amendments, and with reference to Figs. 9 and 10. Reconsideration is respectfully requested.

#### **Claim Rejections - 35 U.S.C. § 102**

Claims 23, 24, 27, 28, 30, and 31 were rejected under 35 U.S.C. §102(a) as being anticipated by *Kruger* '070. Claims 23 and 31 have been cancelled herewith, as mentioned above, to place the application in condition for allowance, and not for reasons of patentability. Applicant respectfully traverses the rejection of claims 24, 27, 28, 30 in view of *Kruger* '070.

Newly amended and independent claim 30 incorporates the subject matter of claim 23. Claim 30 sets forth a catalytic converter subassembly comprising, *inter alia*, an exhaust manifold, a catalytic converter shell, a portion of which is disposed within the manifold wall, a catalyst substrate, mat support material, and a mat protection ring, wherein a portion of the mat protection ring penetrates at least a portion of the mat support material at one end. In contrast to the invention claimed in newly amended claim 30, *Kruger* '070 does not teach or describe a catalytic

converter subassembly wherein a portion of a mat protection ring penetrates at least a portion of mat support material at one end. Therefore, applicant respectfully argues that newly amended claim 30 is patentably distinguishable from *Kruger* '070, and reconsideration is requested.

Claims 24, 27, and 28 have been amended to be dependent upon now allowable claim 30. Therefore, applicant respectfully asserts that claims 24, 27, and 28 are allowable for the same reasons as set forth with respect to claim 30.

Claim 32 was rejected under 35 U.S.C. § 102(e) as being anticipated by *Henry* '259. Claim 32 has been cancelled herewith, as mentioned above, to place the application in condition for allowance, and not for reasons of patentability.

#### **Claim Rejections - 35 U.S.C. § 103**

Claims 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kruger* '070, in view of "3M Interam Mat Product Guide". Claim 25 has been amended to be dependent upon now allowable claim 30. Claim 26 is ultimately dependent upon now allowable claim 30. Therefore, applicant respectfully asserts that claims 25 and 26 are allowable for the same reasons as set forth with respect to claim 30.

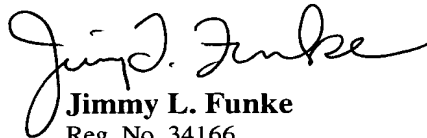
Claim 29 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kruger* '070. Claim 29 has been amended to be dependent upon now allowable claim 30. Therefore, applicant respectfully asserts that claim 29 is allowable for the same reasons as set forth with respect to claim 30.

Claim 32 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kruger* '070, in view of *Smith*, et al. '319. Claim 32 has been cancelled herewith, as mentioned above, to place the application in condition for allowance, and not for reasons of patentability.

### **Conclusion**

For all of the above reasons, claims 24 – 30 are patentably distinguishable over the prior art cited thereagainst. Reconsideration and allowance is respectfully requested. A Notice of Allowance is earnestly solicited. If the Examiner believes that a telephone interview would be beneficial, please contact the undersigned at the number listed. Please charge any necessary fees, including any extension of time, or any other fee deficiencies to Delphi Technologies, Inc., Deposit Account No. 50-0831.

Respectfully submitted,



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Dated: February 9, 2005